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I, William H. Wallace, Governor of the Territory of Idaho do Solemnly Swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution, within the United States, hostile or inimical thereto. And I do further swear that, to the best of my knowledge and ability, I will support and defend the constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation [illegible] or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God. William H. Wallace

Sworn to and subscribed before me, this 17 March 1863.

James M. Wayne.
Associate Justice Sup. Court
U. States

I William. B. Daniels of Yamill County in the State of Oregon do Solemnly Swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof: that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto: that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution, within the United States hostile or inimical thereto. And I do further swear that to the best of my Knowledge and ability, I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely; without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter; So help me God.

William B. Daniels

Sworn to and Subscribed before me this thirteenth day of May AD. 1865.

Witness my hand and official Seal the day and year last above written

Chester A Terry
Notary Public

Proclamation

The undersigned having been appointed Governor of the Territory of Idaho, and duly qualified according to law, and having entered said Territory on the tenth ~~day~~ inst., will proceed to organize the same, according to the provisions of the Act of Congress approved March 3d 1863 - and, Ex Officio will discharge the duties of Superintendent of Indian affairs

Given under my hand, and seal this tenth day of July one thousand eight hundred and sixty three

Seal

W. H. Wallace
Gov. Idaho Territory
and Supt Ind affairs -

Lewiston T.T.
July 10th 1863 -

Attest
Wm J. Daniels
Secretary Idaho Territory

A Proclamation
by the Governor of the Territory of Idaho

Whereas, by the 4th Section of an Act of the Senate and House of Representatives of the United States, in Congress assembled, entitled an Act to provide a temporary Government for the Territory of Idaho, it is provided "that the first election in said Territory shall be held at such time and places, and be conducted in such manner, both as to the persons who shall superintend such election and the returns thereof, as the Governor shall appoint and direct; and he shall, at the same time, declare the number of members of the Council and House of Representatives to which each of the Counties or Districts shall be entitled under this Act"

And, whereas, by the 13th Section of said Act it is provided "That the Delegate to the House of Representatives of the United States, to serve for the term of two years, who shall be a citizen of the United States, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the Delegates from the several other Territories of the United States to the said House of Representatives, but the Delegate first elected shall hold his seat only during the term of the Congress to which he shall be elected"

Now, therefore, be it known that I William H. Wallace, Governor of the Territory of Idaho by virtue of the authority vested in me by

the said Act, do abboint and direct that the first election for the members of the Council and House of Representatives of the Legislature of the Territory of Idaho and of the first Delegate to the House of Representatives of the United States, shall be held on

Saturday 31st day of October 1863, between the hours of 9 A.M. and 6 P.M. In the County of Boise, at Auraria Boise City South Boise, Fort Bannock, Pioneer, Centreville and Placerville,

In the County of Idaho, Florence, Warms Diggings, Slate Creek and Long Bar

In the County Nez Perce, Elk City, Newsoms creek, Clear water Station and Lewiston

In the County of Missoula, Fort Owen Hellgate Route, Prickly Pear, and Deer Lodge

In the County of Shoshone, Oro Fino and Pierce City

In the District of country east of the Rocky Mountains, Fort Benton, Fort Laramie, Galatin Virginia City, Nevada City, Bivins Gulch, and east Bannock

The members to be elected to the Council to be apportioned as follows:

To the County of Boise, two; to the County of Idaho, one, to the County of Nez Perce, one, to the Counties of Shoshone and Missoula, one, the District of country East of the Rocky Mountains, East Bannock one, the country including Fort Benton, Galatin, Fort Laramie Virginia City, Nevada City, and Bivins Gulch one

The members to be elected to the House of Representatives to be apportioned as follows:

The County of Shoshone one,
the County of Mefeasa, including Fort
Benton and Gallatine one; Virginia
City including Fort Laramie one; Nevada
City including Bivins Gulch one; Salt
Lamoke one, the County of Boise five;
the County of Ag Perce one, the County
of Idaho two;

There shall be three Judges
of Election, hereinafter appointed, who shall
mutually administer to each other the
requisite oath, and have power to designate
the house or building where the election
shall be held. In case any Judge, herein
appointed, shall neglect or fail to attend,
those attending shall have power to
fill vacancies; and in case that all
the Judges herein appointed for any
Precinct, shall fail or neglect to attend,
then the qualified electors of said
Precinct may on the morning of election,
select three persons who shall act
as Judges of said election.

They shall appoint two Clerks to
whom they shall administer the requi-
site oath; shall, by Proclamation
announce that the polls are
open; proceed to open and hold
the elections by ballot, and make
returns thereof, under oath, to the Secretary
of the Territory, within thirty days after the
election

The Judges hereby appointed for
the various precincts of the Territory
are as follows:

In the County of Boise,
At Owyhee, D. Campbell Peter McLain,
and Thomas Wade
At Boise City, Shadrack Bonsted
Wm Jayne and L Davis

At South Boise W B Ames Ele Pierce
and J Crawford
At Fort Bannock Geo B Walker Ale Swift and
arthur Warwick
At Pioneer W R Kirtley
H L Martin and James Welsh
At Centerville I J Walker R N Button
and J G Howell
At Placerville R H Johns M E Smith
and At Duncan
In the County of Idaho at Florence
Samuel Wells I James and J H Hoard
At Hatties Diggins Lott Higgins
D H Stokes and John H Johnson
At State Creek John Woods
William Campbell and Joseph Adams
In the county of Nez Perce at Elk city
I M Pomroy William Claflin and Rattle
Miller
At Newsome Creek Abraham
Harry Gustavus Brown and J McElaney
At Clearwater Station George Bowles
Peter H Hastins and Jno H Hicks
At Lewiston C C Bunnell Silas D
Cochran and George Wright
In the County of Missoula at
Fort Owen Mc[illegible] Mathews
John Lafontain and P McCone
At Gold gate Ronde A J Backleder
H H Lipton and J L Hendricks
At Prickly Pear James Gentry J G Crooks
and James Robertson
At Deer Lodge
John Grant Lyon Drummond and John Smith
In the County of Shoshone at Oro Fino
Levi Anking M Hingaid and D E Elliott
At Pierceville S F Leonard J B Lamb
and C K Davidson
In the District of Country East of the
Rocky Mountains at Fort Benton
A Dawson McCord and Grays Store

At Fort Laramie Harvey Johns Seth
Ward and J B Alexander
At Galdatin M W Burrows
Charles Davis and L Nuckols
At Virginia City Samuel Mc-
Lain G G Bissil and L Root
At Nevada City J H Kirks
John Martin and Alexander Lapeare
At Bivins Gulch William Bivans
S T Hauser and L L Perkins
At East Bannock N P
Langford H R Otis and A J Oliver
The members of the Legislature
elected as herein provided
will assemble at Lewiston, on Monday
the 7th day of December A.D. 1863.
Given under my hand at
Lewiston this 22d day of September 1863.

Proclamation

In addition to the precincts of Elections for members of the Council and House of Representatives of the Territory of Idaho and of the first delegate to the House of Representatives of the United States to be held on the 31st day of October AD 1863 as directed and appointed by Proclamation bearing date September 22d 1863

Be it known that the County of Idaho State Bird A. J. Chapman Mathew Adams and George Cornwall Harris Diggings D.W. Stearns instead of D.W. Stevens

Shoshone

Taylors Bridge

on Clear Water John Augur Mr Hersey and Mr Perkins, Nez Perces, Louis Salmon, Robert Silverman N.B. Holbrook and G.S. Johnson. Given under my hand at Lewiston this 1st day of October 1863

W.H. Wallace

By Daniels Bathurst

Secretary of

Idaho Territory

Proclamation.

By the Governor of the Territory of Idaho!

Whereas by the 15th Section of an Act of the Senate and House of Representatives of the United States, in Congress assembled entitled an Act to provide a temporary Government for the Territory of Idaho. Approved March 3d 1863 it is provided that until otherwise provided by Law, the Governor of said Territory may define the Judicial Districts of said Territory and assign the Judges who may be appointed for said Territory to the several Districts, and also appoint the times and places for holding Courts in the several Counties or Subdivisions in each of said Judicial Districts by Proclamation to be issued by him, but the Legislative Assembly, at their first or any subsequent Session, may organize, alter or modify such judicial Districts and assign the Judges and alter the times and places of holding the courts as to them shall seem proper and convenient.

Now therefore be it known that I William H Wallace Governor of the Territory of Idaho by virtue of the Authority vested in me by said act do define the Judicial Districts as follows.

For the first District the Counties of Idaho, Nez Perce and Shoshone.

For the Second District the County of Boise,

For the third District the County of Missoula and the Country East of the Rocky Mountains.

Courts to be holden in the first District for the County of Idaho at Florence on the first Monday of February 1864:

For the County of Nez Perce at Lewiston on the third Monday of February 1864.

For the County of Shoshone at Pierce City on the first Monday of March 1864.

In the Second District for the County of-

Boise at Bannack City on the Second Monday of February 1864:

In the third District for the county of Missoula at Hell Gate on the Second Monday of February 1864.

In the Country East of the Rocky Mountains at Bannack City Ect. on the Second Monday of March 1864.

The Judges will be assigned as follows to the first district. Judge A. C. Smith.

To the Second District Judge Samuel C. Parks.

To the third District Judge Sidney Edgerton.

Given under my hand at Lewiston this 18th day of November 1863

Wm. B. Daniels
Secty. of Ter.

S. T. Wallace
Governor

Governors Message.

Gentlemen of the Council and House of Representatives:

Custom on all the States and Territories of the Union, and law in most of them, requires the executive, at the beginning of each session of the legislative body, to call the attention of the servants of the people to such subjects as he deems necessary and proper for their action. And when the fundamental law of any political community makes the executive a part of the legislative power, as is the case in this Territory, the utility of this custom is apparent.

It is with pleasure therefore that, in compliance with this duty, I now meet you at your first session; and I congratulate you upon the bright prospects of our young community, and upon those indications of rapid and permanent growth with which we are surrounded. Sixty years ago, when Mr. Jefferson sent Lewis and Clark to explore this country, it was almost as unknown as the deserts of Africa. Little did he then dream of what it would be to day, and much less did he dream of what it will be sixty years hence.

The child is born who shall see railroads and telegraphs connecting our great centers of trade with the Atlantic and Pacific oceans; who shall not only see the inexhaustible mineral wealth of this country developed, but shall see the the trade of Asia turned from its ancient channels, and the road across this continent become the great highway of the world. He shall see slavery, that foul stain upon our country, blotted out forever, and all danger from domestic insurrection and foreign intervention, pass away with the cause that produced it. He shall see the States of the Pacific rival those of the Atlantic seaboard in population and wealth; shall see a city located on the western side of the continent, by the Pacific ocean, surpassing in trade and magnificence ancient Tyre when she sat as a queen and her merchants were princes, and in the interior surpassing Palmyra and Persepolis in the days of their glory — splendid, not with heathen temples and palaces decorated with barbaric pomp and pride, but with churches dedicated to the worship of the God of our fathers, and institutions of

learning devoted to the education of our youth in arts arts and science, morals and religion. He shall see the capital of the nation removed to the valley of the Mississipi, not four days journey from either Ocean, far from the reach of any invading foe, and easily accesible to all our countrymen. He shall see his country more united and powerful than ever before, leading all the nations in the pathway of political civilization, and imparting to all the millions beneath her sway a degree of prosperity and happiness enjoyed by no other people beneath the sun. Then shall the population of the Mountain States be counted by tens of millions: and Idaho, one of the last of the Territories to be organized, shall be one of the first of States.

We are assembled here to-day in furtherance of this grand result; and should cheerfully contribute toward it our utmost labor and skill.

The first duty specially enjoined upon the Legislative Assembly by the Organic Act, is to make an apportionment as nearly equal as practicable among the several counties and districts for the election of the Council and Representatives. This duty is so obvious and necessary that I need not comment upon it; and so with several others. The Act requires the Legislature to prescribe the time, place, and manner of holding and conducting all elections of the people; to fix the day of the commencement of the regular session of the Legislative Assembly; to prescribe the qualifications of voters and of holding office; to provide for the election of, or to appoint in connection with the Governor, all district, township, and county officers, not otherwise provided for in in the Organic Act; to locate and establish the seat of government of the Territory, in conjunction with the Governor; to divide the Territory into three judicial districts, and to fix the times and places of holding courts therein, and to assign to each of the judges of the Supreme Court the district in which he shall reside, and to fix the time of holding the

Upon this I have only to say, that the Territory is so large that it will be inconvenient, if not impossible, for more than two or three terms of the District Court to be held per annum in any one district; and that, as it seems to me, it would be more convenient for the Supreme Court to be held during the session of the Legislature. A division of the Territory into districts and an assignment of the judges have already been made, and the time and place of holding the first in each have been fixed; but this arrangement was only for present convenience, and will of course be adjusted during your session more fully. You are also requested to limit the jurisdiction of the supreme, district, and probate courts, and of justices of the peace.

The Organic Act contemplates the organization of the militia. A well regulated militia system has always been considered one of the safeguards of nations. It is to be hoped that no necessity may arise for the employment of troops in this hitherto peaceful Territory; but the time may come before the suppression of the existing insurrection when we will be called upon by the national Government to furnish our quota of troops for the service of our country, and though from our situation we could do but little, we should be always ready to do that little with alacrity. Besides, there are other circumstances in our domestic condition which render it highly proper that there should be efficient military organizations all over the Territory; and I therefore commend the subject to your careful consideration.

Your attention is respectfully invited to that section of the Organic Act which fixes the salaries and per diem of the officers and Legislature of the Territory. Congress seems to have been governed in this matter by the cost of the necessaries of life, and the value of legal tender notes in the Atlantic States. But it is obvious that here, where the cost of living is more than double, and the money of the Government is only worth one half or two thirds of its face, such

a standard will not answer. Some of the Territories have been obliged largely to increase the amount allowed by Congress, and I submit to your wisdom whether something of the kind should not be done here. A young Territory, whose resources are undeveloped, and without any system of revenue yet in operation, whatever may be her prospective wealth, should not be reckless in her appropriations, or profuse in her expenditures; but it should be remembered that parsimony is not economy, and that efficient officers cannot well be obtained without adequate compensation.

The fourteenth section of the Organic Act donates two sections of land in each township in the Territory for the use of schools therein, when the lands shall be surveyed. I submit to the Legislature whether any action is necessary to be taken by them at the present session in reference to this provision, or to the subject of education generally. It cannot be necessary to argue the necessity of education to the preservation of our free institutions. "We must educate", said a great American orator, "or we must perish by our own prosperity"; and all history attests the truth of that proposition. Prosperity, wealth, luxury, vice, and ruin, are the successive steps in the career of every nation that does not rely upon the virtue and intelligence of the people. All the gold in these mountains will not save us from the fate of free nations that have gone before us if we do not educate our children, but rather make our decline more swift and sure. Who does not know that it is to the ignorance of the many, operated upon by the ambition of the few, that our insurrectionary States are indebted for the desolation which is laying them waste and making their palaces the abodes of owls. Let us establish schools and churches, encourage teachers, patronize the arts and sciences, teach our children to seek knowledge rather than wealth, and labor to perpetuate our institutions by a union of intelligence and virtue, liberty and law.

In addition to those matters thus specially confided to the care of the Legislative body, Congress has given them power to act upon all rightful subjects of legislation consistent with the Constitution of the United States, and the Organic Act— a vast power requiring in its exercise great ability, labor and discretion. It involves the organization and details of the executive, legislative, and judicial branches of the Territorial Government; the subject of contracts: the rules of pleading, practice, and evidence, both civil and criminal; the definition and punishment of crimes; the levying and collection of taxes; the subject of roads and other internal improvements; the qualifications of officers, jurors and witnesses; the regulation of the domestic relations; the disbursement of moneys, and so many other things that they cannot even be mentioned here. And in dealing with all these subjects care should be taken that the limits of legislative power, to wit: the Constitution of the United States and the Organic Act, are not overstepped, as all laws inconsistent with these will be void, and their enactment only embarass the people, the executive, and the courts. I may be permitted in this connection to suggest that no body of men, however industrious and able, can in a single session of sixty days frame a system of laws to meet the wants of the people, and that it has been usual for the new Territories to adopt the code of some of the States. Thus, California adopted the code of New York, and Nevada of California, with such modifications in each case as circumstances required. Mining being the great controling interest of our people, and our material prosperity and wealth being so dependant upon it, good laws for its regulation and protection are indispensible. Those engaged in this lucrative but hazardous and laborious pursuit have a right to expect that the Legislature will do all it can for their assistance and security. Thousands of them have left their homes and have endured all the privations of a long and tedious journey across mountains and deserts, to come to this new land to procure a competence for

for their families and to build up a new State in the wilderness. It is to the efforts of these men mainly that we shall owe the rapid development of our great resources and more more than they have a right to the protection of our laws. It is believed that the statutes of Nevada are probably as suitable for us as those of any State or Territory; mining is her great leading pursuit, as it is ours: her soil and productions are similar to ours; and being the last of the Territories to adopt a code of laws, she had the benefit of the experience of all the rest. And I cannot but add that in devotion to the Constitution and laws of our country, she might well be imitated, not only by us, but by some of the older States of the Union.

She was organized at a period of un-examplee national peril, when the heart of the patriot beat anxiously for the fate of the Pacific coast. She sent the first message by lightning across the continent to the President and the people of the United States, boldly proclaiming eternal fidelity to the flag of our Country. Whether you adopt the Nevada code, or some other, or frame a system of laws, it will be necessary in order to complete the system, whatever it may be, to adopt the Common law as a part of it so far as it is suitable to our condition and not inconsistent with the Statutes and Constitution of the United States. The Common law is said to fill every interstice, and occupy every wide space which the Statute law cannot occupy, and is regarded as indispensible by all our States and Territories.

Some of the Territories have passed laws for punishing the offence of selling intoxicating liquors to the Indians. The necessity of preserving peace with the various tribes in our midst to the rapid development and settlement of our Territory is apparent to all, and with prudence on our part it is believed that this can be easily accomplished. The hereditary hostility of the Indians to the white men seems either to have worn out, or to be suppressed in the midst of so many

evidences of superior knowledge and power.
Treaties of peace and amity have been made with nearly all the Indian tribes. "The war whoop no longer wakes the sleep of the Cradle," and the sounds that meet our ears from the lodges and camps around us are not "the shouts of savage warfare and the shrieks of torture" but of harmless and peaceful revelry.
But experience with these people proves that when intoxicated the most of them will become incarnate fiends; and those bad white men who, for a little gain, will sell them ardent spirits and thus excite their dreadful passions, wilfully endanger the peace and lives of their fellow citizens and should be regarded and treated as incorrigible enemies of the human race.
Whether we need any law in addition to those passed by Congress for the punishment of those men, it will be for you to determine.
Gambling is regarded by every well regulated community as a ruinous vice. The law in every enlightened State is believed to be against it, and this Legislature will no doubt pass a stringent act for its suppression.
There is another subject of transcendent national importance which cannot be overlooked. Idaho is a component part of the Federal Union, and in taking her place now for the first time among the organized Territories, it is meet that she should, through her executive and legislative, clearly and decidedly declare her position upon the rebellion which has threatened the life of the Nation and filled the land with mourning. Mr. Stephens, one of the ablest men in the so-called Southern Confederacy, in attempting to dissuade the State of Georgia from seceding from the Union, challenged any one to point out a single right which the Nation had denied the South, or a single wrong it had inflicted upon her. Mr. Douglas, the great Western Senator, almost with his dying breath expressed the same sentiments, and invoked the people as the only safeway of preserving the National existence to the many Stephenses and

overwhelming preparations for war". Those great men knew whereof they spoke. But if they did not, and the South had been wronged, she had no right to attempt redress by revolution. The right of revolution belongs to the people of arbitrary governments, and cannot be admitted in free representative republics like ours, where suffrage is almost universal, and where rulers when obnoxious, and laws when oppressive, can be changed so easily at the ballot box. When the rebellion commenced the seceding States had it in their power to prevent the passage of a single law they did not approve. Nay, more: a majority of the leaders of the secession movement at the very time they were laboring to take their States out of the Union were in the service of the nation, and sworn to support the Constitution which they were laboring to overthrow.

In the eyes, therefore, both of God and man, they stand forth as perjured traitors, responsible for all the treasure that has been wasted, for all the blood that has been shed, for every tear that has flowed, for every groan that has been uttered in this terrible insurrection.

It is one of the evils of Slavery that it cultivates the love of power, and makes the Slaveholder impatient of even legitimate control. The rebellion had its origin in the same cause that led Lucifer and his associates to resist the power of the Almighty, and attempt to break up the order and harmony of Heaven. It was ambition, the sentiment that it "is better to reign in in hell than serve in Heaven". The ambitious Spirits of the South thought they saw in the rapid increase of population and wealth in the North and West a time soon coming when they could no longer control the Country. They resolved, therefore, to set up for themselves, and to found on the ruins of the Union a confederacy that they could rule, and to make "Slavery its chief corner-stone". Shall Idaho, the largest of all the Territories, take her stand in sympathy with a cause so vile, and cloud the morning of her political existence with the darkness of treason? Or, shall she assume an immediate neutrality like many Than

treason itself? No! Let her, as her name indicates, sit among the mountains a gem of the brightest lustre radient with unconditional loyalty, attracting by her glorious light the gaze and admiration of Mankind.

In conclusion, gentlemen, may your session be pleasant and harmonious, and may the results of your labors be right in themselves, and acceptable to your constituents; and may we all as public servants, ever remember that righteousness exalteth a nation, but that sin is a reproach to any people, and so conduct ourselves, both in public and private, as to secure the favor of that Great Being who holds in the hollow of his hand the destiny of Men and of nations, and without whose aid all our labors will be vain and fruitless.

Executive Office William B. Daniels
Lewiston N. T. Acting Governor.
December 9th 1863

I William B Daniels Secretary and acting Governor of Idaho Territory do solemnly swear that I will support protect, and defend the Constitution and Government of the United States against all enemies whether [redacted] or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution or law of any State Convention or Legislature to the contrary notwithstanding; and further that I do this with a full determination, Pledge, and purpose, without any mental reservation or evasion whatsoever; and further that I will well and faithfully perform all the duties which may be required of me by law So help me God

William B Daniels

Territory of Idaho }
County of Nez Perces } ss

On this day personally appeared before me the above named Wm B Daniels who took and subscribed the foregoing oath

December 10th A.D. 1863

Alex C Smith
Associate Justice
Supreme Court
Idaho Territory